

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 344**

Introduced by Ashford, 20.

Read first time January 15, 2009

Committee: Judiciary

A BILL

1 FOR AN ACT relating to legal services; to amend sections 25-3007  
2 and 25-3008, Reissue Revised Statutes of Nebraska;  
3 to change administration of the Civil Legal Services  
4 Program; to provide an operative date; and to repeal the  
5 original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 25-3007, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           25-3007 The Civil Legal Services Program is created.  
4 Appropriations to the program and money in the Civil Legal Services  
5 Fund shall be used to provide grants for civil legal services  
6 to eligible low-income persons. The ~~State Court Administrator~~  
7 Commission on Public Advocacy shall distribute grants pursuant to  
8 section 25-3008.

9           Sec. 2. Section 25-3008, Reissue Revised Statutes of  
10 Nebraska, is amended to read:

11           25-3008 (1) The ~~State Court Administrator~~ Commission  
12 on Public Advocacy shall establish guidelines for submission of  
13 applications for grants to provide civil legal services to eligible  
14 low-income persons. To be eligible for a grant under this section,  
15 a civil legal services provider shall:

16           (a) Be a nonprofit organization chartered in Nebraska;

17           (b) Employ or contract with attorneys admitted to  
18 practice before the Nebraska Supreme Court and the United States  
19 District Courts;

20           (c) Have offices located throughout the state;

21           (d) Have as its principal purpose and mission the  
22 delivery of civil legal services to eligible low-income persons  
23 who are residents of Nebraska;

24           (e) Distribute its resources equitably throughout the  
25 state;

1           (f) Be a recipient of financial assistance for the  
2 delivery of civil legal services from the Legal Services  
3 Corporation established by the federal Legal Services Corporation  
4 Act, 42 U.S.C. 2996 et seq.; and

5           (g) Certify that any grant funds received pursuant to  
6 this section will be used to supplement any existing funds used  
7 by the applicant and that such funds will not replace other funds  
8 appropriated or awarded by a state agency to provide civil legal  
9 services to any eligible low-income person.

10           (2) A civil legal services provider seeking a grant  
11 under this section shall file an application with the ~~State Court~~  
12 ~~Administrator~~ commission on forms provided by the ~~administrator.~~  
13 commission. The application shall include a place for the provider  
14 to certify to the ~~administrator~~ commission that it will provide  
15 free civil legal services to eligible low-income persons upon  
16 receipt of a grant under this section.

17           (3) The ~~State Court Administrator~~ commission shall review  
18 the applications and determine which civil legal services providers  
19 shall receive grants under this section and the amount of the  
20 grants. Grant recipients shall use the grant funds to provide free  
21 civil legal services to eligible low-income persons.

22           (4) An independent certified public accountant shall  
23 annually audit the books and accounts of each grant recipient. The  
24 grant recipients shall provide the results of such audit to the  
25 ~~State Court Administrator.~~ commission.

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1                   Sec. 3. This act becomes operative on January 1, 2010.

2                   Sec. 4. Original sections 25-3007 and 25-3008, Reissue

3 Revised Statutes of Nebraska, are repealed.